IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE Mr. JUSTICE B. SUDERSHAN REDDY

And

THE HON'BLE Mr. JUSTICE C.V. RAMULU

WRIT PETITION No.8052 of 2005

Between:

Smt. Puvvada Sudha Rani W/o Sobhan Prakash
R/o D. No. 4-6-5, Kothaagraharam, Vizianagaram

..... PETITIONER

AND

1. The Commissioner, Vizianagaram Municipaltiy,

Vizianagaram.

2. The Bill Collector, 4th Ward, Vizianagaram Municipality,

Vizianagaram.

.....RESPONDENT(S)

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus, or any other appropriate Writ, order or direction, declaring

the action of the Respondent's demand notice No.10930000069645, dated 08-11-2004, in enhancing the property tax from Rs.4,902/- to Rs.11,654/- for the petitioner building door No.4-6-5, situated in Kothaagraharam, Vizianagaram Municipality and not passing any orders on the representation, dated 10-12-2004, made by the petitioner, as arbitrary, illegal, null and void and against the principles of natural justice and norms of the public policy and contrary to the provisions of 87 of the A.P. Municipalities Act, and further directing the respondents to re-assess the petitioner's property tax as per Section 87 of the A.P. Municipalities Act.

Counsel for the Petitioner: Mr. VENKATESWARA RAO GUDAPATI

Counsel for the Respondents: Mr. S. NAGESWARA REDDY

The Court at the admission stage made the following :

ORDER: (Per Hon'ble Sri Justice B. Sudershan Reddy)

The petitioner claims to have made representation, dated 10-12-2004, before the Commissioner, Vizianagaram Municipality regarding assessment of property tax pursuant to the demand notice, dated 08-11-2004, issued by the Vizianagaram Municipality.

The gravamen of the complaint in the instant writ petition relates to inaction on the part of the Commissioner, Vizianagaram Municipality in considering the representation and the objections raised by the petitioner to the demand notice, dated 08-11-2004.

Heard the learned counsel for the petitioner as well as the learned counsel for the respondents and perused the material available on record.

Interest of justice would be met by directing the 1st respondent to dispose of the objections in the representation, dated 10-12-2004, made by the petitioner, in accordance with law, for which purposes the petitioner shall be provided an opportunity of being heard.

The representation so preferred by the petitioner shall be disposed of within a period of four weeks from the date of receipt of the copy of this order.

Accordingly, the Writ Petition is disposed of without any order as to costs.

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B. SUDERSHAN REDDY, J

Date:12-04-2005.

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C.V. RAMULU, J

Note:

Furnish certified copy of the order by 15-04-2005.

(B/O)

PV

To

1. The Commissioner, Vizianagaram Municipaltiy,

Vizianagaram.

2. The Bill Collector, 4th Ward, Vizianagaram Municipality,

Vizianagaram.

3. Two C.D. copies.